

REMARKS

In the Office Action mailed February 25, 2004, Examiner rejected claims 1, 3, 5, 6, 11, and 12 under 35 U.S.C. 103(a) as being unpatentable over Kawakami.

Examiner states "Kawakami teaches the claimed search and rescue beacon ...". Examiner further states, "To increase the range of the system of Kawakami, the system of Kawakami can obviously operate in the claimed frequency range." Column 1 lines 20-50 of the Kawakami patent, as cited by Examiner, discuss the conventional art of a GMDSS search and rescue system. Such a system includes a SART, an EPIRB and Digital Selective Calling (DSC) radio systems.

The present invention, as claimed, is distinguished from a SART because a SART is a 9 GHz transponder without an auxiliary homing transmitter. Again, a SART transponder does not have an auxiliary housing transmitter. Claim 1 in the present application specifies a main transmitter and an auxiliary homing transmitter. Claim 1 further stipulates a main transmitter transmitting a Cospas-Sarsat signal at a main frequency. The Cospas-Sarsat system operates at 406 MHz not 9 GHz.

The DSC system can operate on one of three bands, HF, MF, or VHF depending how far from shore the ship is from the coast station. These radios are two-way radios and are used to communicate between the coast station and a ship, or between two ships.

When these two systems are integrated as disclosed by Kawakami, they still bear no resemblance to the present invention as claimed. Kawakami has a SART and a two way DSC radio. It is neither taught nor suggested by Kawakami to operate the two-way radio at a frequency close to the SART frequency, nor would there be any reason to, as the two act independently and no advantage is gained. In the present invention, it is advantageous to piggy-back a homing frequency close to the main transmitter frequency. Thus, claim 1 in the present

application includes reference to two transmitters, one operating at a Cospas-Sarsat frequency and the other transmitter, which is a homing signal, operating at a frequency close to the Cospas-Sarsat frequency.

It is consequently respectfully submitted that, without the benefit of hindsight given the teaching of the present application, one skilled in the art would not be led to the present invention as defined in claim 1, there being no teaching, nor suggestion, nor motivation in the cited reference for doing so.

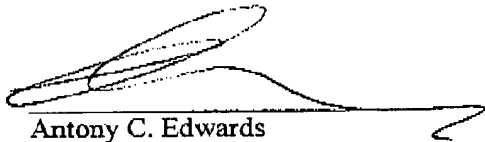
Applicant respectfully submits that the dependent claims are patentable for at least the reason that they depend from a base claim which distinguishes over the prior art.

Examiner indicated that claims 2, 4, 7-10, 13 and 14 would be allowable if amended to include the limitations of the base claims and any intervening dependent claims. New claims 15-22 are added which correspond to the allowable claims. New claim 15 contains all of the limitations of claims 1 and 2 as filed.

Examiner is respectfully requested to now pass this application to allowance.

Respectfully submitted,
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